

Los Angeles City Council, **Journal/Council Proceedings**
Wednesday, February 13, 2013
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Alarcón, Buscaino, Englander, Huizar, LaBonge, Parks, Perry, Reyes, Zine and President Wesson (10); Absent: Garcetti, Koretz, Krekorian and Rosendahl (4)
Vacant: Council District Six

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
FEBRUARY 8, 2013

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 22

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

Items Noticed for Public Hearing - Items 1-6

ITEM NO. (1) - CONTINUED TO FEBRUARY 20, 2013

Adopted to Continue, Unanimous Vote (10); Absent: GARCETTI, KORETZ, KREKORIAN, ROSENDAHL (4)

[12-1728](#)
CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Exposition Boulevard and Bundy Drive Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held January 23, 2013)

ITEM NO. (2) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-1758](#)

CD 5

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Gilcrest and Claircrest Drives Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that a majority protest exists in the Street Lighting Maintenance Assessment District and therefore the assessment cannot be enacted.
2. PRESENT and ADOPT the accompanying ORDINANCE abandoning all proceedings relating to the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).
3. INSTRUCT the Director, Bureau of Street Lighting, to assure that the streetlights are not installed or are removed from service if previously installed.

(Public Hearing held January 23, 2013)

ITEM NO. (3) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-1759](#)

CD 2

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Colfax Avenue and Sarah Street Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held January 23, 2013)

ITEM NO. (4) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-1760](#)

CD 11

CONTINUED CONSIDERATION OF HEARING PROTESTS and ORDINANCE FIRST CONSIDERATION relative to the improvement and maintenance of the Idaho and Granville Avenues Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. DENY the protests and confirm the assessments.
2. PRESENT and ADOPT the accompanying ORDINANCE levying the assessments and ordering the maintenance of the above lighting district, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Government Code Section 53753 (Proposition 218).

(Public Hearing held January 23, 2013)

ITEM NO. (5) - SEE FOLLOWING

[12-1575-S1](#)

et al.

HEARING PROTESTS relative to Office of Finance reports requesting approval to record liens against taxpayers for unpaid taxes.

Recommendation for Council action:

APPROVE and AUTHORIZE the Office of Finance to record a lien for unpaid taxes in the amounts stated below, pursuant to Los Angeles Municipal Code Section 21.15(o) for the following:

RECEIVED AND FILED, INASMUCH AS TAXPAYER IS COMPLIANT WITH AGREEMENT

Adopted to Receive and File, Unanimous Vote (10); Absent: GARCETTI, KORETZ, KREKORIAN, ROSENDAHL (4)

[12-1575-S1](#)

- a. GGB Medical Management Services Inc. (Lien: \$105,772.27)

PUBLIC HEARING CLOSED - LIEN CONFIRMED

Adopted, Ayes (13); Absent: GARCETTI (1)

[13-0114](#)

- b. Eminence Home Health Care Inc. (Lien: \$5,385.29)

ITEM NO. (6) - PUBLIC HEARING CLOSED - ADOPTED

Adopted, Ayes (10); Absent: GARCETTI, KORETZ, KREKORIAN, ROSENDAHL (4)

[12-1955](#)

CD 12

CATEGORICAL EXEMPTION and COMMUNICATION FROM THE CITY ENGINEER relative to an offer to dedicate an easement for street purposes on the south side of Devonshire Street west of Reseda Boulevard. (Right of Way No. 36000-1933)

Recommendations for Council action:

1. FIND that the offer to dedicate an easement for street purposes on the south side of Devonshire Street west of Reseda Boulevard (Right of Way No. 36000-1933) is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(19) of the City's Environmental Guidelines.
2. AUTHORIZE the Board of Public Works to acquire the easement for street purposes on the south side of Devonshire Street west of Reseda Boulevard (Right of Way No. 36000-1848), as depicted on the Exhibit Map in the December 13, 2012 City Engineer report and attached to the Council file.
3. INSTRUCT the City Clerk to forward a copy of the Council action on this project be forwarded to the Real Estate Division of the Bureau of Engineering for processing.

Fiscal Impact Statement: The City Engineer reports that a \$3,317 fee for processing this report was paid pursuant to Sections 7.3 and 7.41.1 of the Administrative Code. No additional City Funds are needed.

Items for Which Public Hearings Have Been Held - Items 7-9

**Adopted, Ayes (10); Absent: GARCETTI, KORETZ, KREKORIAN, ROSENDAHL (4)
(Item Nos. 7-9)**

ITEM NO. (7) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

[12-0600-S29](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to recommendations regarding prior-year encumbrances and a proposed General Fund Encumbrance Policy.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to prior-year encumbrances and a proposed General Fund Encumbrance Policy.

Recommendations for Council action, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **ADOPT** the Proposed General Fund Encumbrance Policy, attached to the Council file, for the City of Los Angeles.
2. **INSTRUCT** departments and the General Services Department, Supply Management Support Division, to disencumber prior-year Financial Management System (FMS) and Supply Management System (SMS) funds totaling up to \$27,823,278 as indicated in the "Total Funds to be Disencumbered" column on Attachment 2 of the City Administrative Officer (CAO) report, attached to the Council file, by February 28, 2013, and **AUTHORIZE** the CAO to adjust Attachment 2 amounts as needed.
3. **AUTHORIZE** the reversion of all prior-year General Fund uncommitted balances as of February 28, 2013 and instruct departments to work with the Controller to complete said reversion by March 15, 2013.
4. **INSTRUCT** the CAO to report back to Council by April 1, 2013, on the results of the reversion of all prior-year General Fund uncommitted balances as of February 28, 2013 and on the potential transfer of reverted amounts from the Reserve Fund to the Budget Stabilization Fund.
5. **REQUEST** the Controller and **INSTRUCT** the General Services Department to respectively update FMS and SMS procedures and policies to effectuate the General Fund Encumbrance Policy.
6. **AUTHORIZE** the CAO to make technical corrections as necessary to those transactions included in this report to implement Mayor and Council intentions.
7. **INSTRUCT** the CAO to make available to Council and Mayor the encumbrance detail prior to the automatic reversion process.

Fiscal Impact Statement: The CAO reports that the current Reserve Fund balance, prior to any transfers, is approximately \$244.3 million. Early reversion of \$18.2 million in disencumbered funds increases the Reserve Fund balance to \$262.5 million. Should the City Council and Mayor agree to deposit the \$18.2 million into the Budget Stabilization Fund, pending approval of the Budget Stabilization Fund Policy, the Reserve Fund will remain at \$244.3 million, or 5.37 percent of the General Fund, and the Budget Stabilization Fund will increase from \$0.5 million to \$18.7 million.

Community Impact Statement: None submitted.

ITEM NO. (8) - ADOPTED - TO THE MAYOR FORTHWITH - SEE FOLLOWING

[12-0600-S170](#)

COMMUNICATION FROM THE CITY ADMINISTRATIVE OFFICER relative to the Mid-Year (Second) Financial Status Report for Fiscal Year 2012-13.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to the Mid-Year (Second) Financial Status Report (FSR) for Fiscal Year (FY) 2012-13.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **APPROVE** recommendations of the City Administrative Officer (CAO) contained in the Mid-Year (Second) FSR dated February 6, 2013, attached to the Council file.
2. **APPROVE** revised Attachments 3 and 4 of the Mid-Year FSR, attached to the Council file, which include technical corrections for the Bureau of Sanitation.
3. **AUTHORIZE** the Controller to process the Fire Department's revision of FY 2011-12 Year-End Reversion Worksheet submitted on November 29, 2012. The process requires the reversal of receivable in the Reserve Fund and decreasing the year-end reverted amount up to \$126,163.35.
4. **AUTHORIZE** the Controller to make the following transfers:
 - a. **\$20,000** from the General City Purposes (GCP) Fund 100/56, Special Fee Subsidy Account No. 000860, CD 3 to GCP Fund 100/56, Community Services Account No. 000703, CD 3.
 - b. **\$400,000** from AB 1290 Fund 53P, Account No. 281214, CD 14 to Council Fund 100/28, Salaries As Needed Account 001070, CD 14.
 - c. **\$100,000** from CLARTS Community Amenities Trust Fund 47S to GCP Fund 100/56, Community Services Account No. 000714, CD 14.
5. **INSTRUCT** the Chief Legislative Analyst to submit technical corrections, as necessary, to accomplish the intent of the above actions and **AUTHORIZE** the Controller to make such transfers.
6. **INSTRUCT** the Department of Cultural Affairs to report to Council Offices on a biannual basis relative to the Arts Development Fee.

7. **INSTRUCT** the Department of General Services to report back on factors used by other governmental entities in estimating fuel/petroleum costs for budgetary purposes to compare to the City's method.

Fiscal Impact Statement: The CAO reports that based on preliminary estimates, \$9.6 million in expenditure shortfalls and major unbudgeted expenses are identified in this report. No adjustment to budgeted revenue is recommended at this time. Transfers, appropriations and other adjustments totaling approximately \$96.8 million are recommended in Sections 1 and 2. Included in these recommendations is the re-authorization of \$22.4 million in Municipal Improvement Corporation of Los Angeles (MICLA) financing as per the 2012-13 Adopted Budget.

Debt Impact Statement: The CAO reports that the issuance of MICLA bonds is a General Fund obligation. In connection with the reauthorization to use MICLA financing provided for in the adopted budget, it is estimated that the City will need to borrow a total of \$24,973,000 (includes cost of equipment, costs of issuance, and debt service reserve fund) at a five percent interest rate. Actual interest rates may differ as rates are dependent on market conditions at the time of issuance. The CAO cannot predict what interest rates will be in the future. The total estimated debt service is \$32,039,000 which includes the borrowing amount and interest (\$7,066,000). During the life of the bonds, the estimated average annual debt service is \$3,204,000 over 10 years.

Community Impact Statement: None submitted.

ITEM NO. (9) - ADOPTED - FORTHWITH - SEE FOLLOWING

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-0600-S171](#)

CITY ADMINISTRATIVE OFFICER report entitled *City at a Crossroads* relative to actions taken by the City to respond to the fiscal crisis and strategies developed towards responsible management and fiscal practices, prioritizing and improving services, and establishing a more sustainable workforce.

(Budget and Finance Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comment will be provided.)

(Click on the above hyperlink or go to <http://www.lacouncilfile.com> for background documents.)

ADOPTED

BUDGET AND FINANCE COMMITTEE REPORT relative to a City Administrative Officer (CAO) report entitled *City at a Crossroads*.

Recommendation for Council action:

CONSIDER the CAO report entitled *City at a Crossroads* dated February 7, 2013, relative to actions taken by the City to respond to the fiscal crisis and strategies developed towards responsible management and fiscal practices, prioritizing and improving services, and establishing a more sustainable workforce.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Items for Which Public Hearings Have Not Been Held - Items 10-23

(10 Votes Required for Consideration)

**Adopted, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 10-13)**

ITEM NO. (10) - ADOPTED

[13-0100](#)

CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Ithaca Avenue and Haven Street Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 25, 2013.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 17, 2013** as the hearing date for the maintenance of the Ithaca Avenue and Haven Street Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$159.93 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 10, 2013)

ITEM NO. (11) - ADOPTED

[13-0102](#)

CD 11

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Grand Avenue and Vista Del Mar Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 25, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 17, 2013** as the hearing date for the maintenance of the Grand Avenue and Vista Del Mar Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$4,743.60 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 10, 2013)

ITEM NO. (12) - ADOPTED

[13-0115](#)
CD 14

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the Los Angeles and 4th Streets Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 29, 2013.
2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 17, 2013** as the hearing date for the maintenance of the Los Angeles and 4th Streets Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$2,071.56 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 10, 2013)

ITEM NO. (13) - ADOPTED

[13-0116](#)
CD 5

COMMUNICATION FROM THE BUREAU OF STREET LIGHTING and ORDINANCE OF INTENTION FIRST CONSIDERATION relative to establishing a hearing date for the maintenance of the La Cienega Boulevard and Westmount Drive Lighting District.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the report of the Director, Bureau of Street Lighting, dated January 29, 2013.

2. PRESENT and ADOPT the accompanying ORDINANCE OF INTENTION setting the date of **APRIL 17, 2013** as the hearing date for the maintenance of the La Cienega Boulevard and Westmount Drive Lighting District, in accordance with Proposition 218, Articles XIIC and XIID of the California Constitution and Government Code Section 53753.

Fiscal Impact Statement: The Bureau of Street Lighting reports that if adopted, \$3,300.06 will be collected annually starting with tax year 2012-13 that will go into a dedicated street lighting maintenance assessment account for the use in the operation and maintenance of this street lighting system.

(Board of Public Works Hearing Date: April 10, 2013)

Adopted, Ayes (11); Absent: GARCETTI, KREKORIAN, ROSENDAHL (3)
(Item Nos. 14a-14g, 15-16)

ITEM NO. (14) - ADOPTED

[13-0005-S104](#)

et al. RESOLUTIONS relative to removing various properties from the Rent Escrow Account Program.

Recommendation for Council action:

ADOPT the accompanying RESOLUTIONS removing the following properties from the Rent Escrow Account Program (REAP), inasmuch as the owner(s) have corrected the cited REAP violations and provided proof of compliance with the Los Angeles Housing Department (LAHD), Code Enforcement Unit, habitability citations, pursuant to Ordinance 173810, and ADOPT the Findings contained in the LAHD's report of February 6, 2013:

[13-0005-S104](#)

CD 8

- a. Property at 1253 West 67th Street (Case No. 147696).
Assessor I.D. No. 6014-015-031

[13-0005-S105](#)

CD 8

- b. Property at 1253 West 67th Street (Case No. 240506).
Assessor I.D. No. 6014-015-031

[13-0005-S106](#)

CD 8

- c. Property at 1253 West 67th Street (Case No. 367683).
Assessor I.D. No. 6014-015-031

[13-0005-S107](#)

CD 9

- d. Property at 1352 East 53rd Street (Case No. 329656).
Assessor I.D. No. 5104-011-003

[13-0005-S108](#)

CD 9

- e. Property at 831 East 47th Street (Case No. 355936).
Assessor I.D. No. 5108-006-030

[13-0005-S109](#)

CD 10

- f. Property at 3192 West Seventh Street (Case No. 380107).
Assessor I.D. No. 5094-009-012

[13-0005-S110](#)

CD 10

- g. Property at 4061 West 23rd Street (Case No. 381531).
Assessor I.D. No. 5060-011-002

ITEM NO. (15) - ADOPTED

[10-0095-S2](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to approval to accept a \$16,000 grant from the National Endowment for the Arts (NEA) for the Big Read Program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to accept a grant award in the amount of \$16,000 for the "Big Read".
2. AUTHORIZE the General Manager, DCA, or designee, to negotiate and execute the grant award and agreement on behalf of the City and submit the required reporting in connection to the grant, subject to City Attorney approval as to form and legality.
3. AUTHORIZE the DCA to receive and expend NEA grant funds for activities for all eligible purposes.
4. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "The Big Read FY 12/13".
 - b. Appropriate \$16,000, received from the NEA, into the newly established Fund 337, "The Big Read FY 12/13".
5. AUTHORIZE the General Manager, DCA, or designee, to prepare Controller instructions needed to implement actions approved by the Council and Mayor on matters present in or deriving from the January 8, 2013 DCA report as attached to the Council file, and/or make necessary technical adjustments; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to the General Fund 100.

Community Impact Statement: None submitted.

ITEM NO. (16) - ADOPTED

10-0095-S3

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to approval to apply for and accept a \$20,000 grant from the National Endowment for the Arts (NEA) for the "Big Read" Initiative.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant application to the NEA in the amount of \$20,000 for the "Big Read".
2. AUTHORIZE the General Manager, DCA, or designee, to submit all necessary paperwork in connection with the grant, subject to City Attorney approval as to form and legality.
3. AUTHORIZE the DCA to expend for the purposes of a minimum 1:1 match a percentage of full-time salaries equivalent to \$10,000 from Fund 100, Account 1010, and up to \$10,000 in part-time salaries from Fund 100, Account 1070.
4. AUTHORIZE the DCA to subsequently accept grant funding if awarded, and execute the grant award on behalf of the City, subject to City Attorney approval as to form and content.
5. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "Big Read FY 13/14".
 - b. Appropriate \$20,000, received from the NEA, into the newly established Fund 337, "Big Read FY 13/14".
6. AUTHORIZE the General Manager, DCA, or designee, to prepare Controller instructions needed to implement actions approved by the Council and Mayor on matters present in or deriving from the January 25, 2013 DCA report as attached to the Council file, and/or make necessary technical adjustments, subject to the review by the City Administrative Officer; and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to the General Fund 100.

Community Impact Statement: None submitted.

ITEM NO. (17) - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[11-0644-S1](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to approval to apply for and accept a \$200,000 grant from the National Endowment for the Arts (NEA) for the "Our Town" Initiative and to negotiate and execute agreements with one or more arts-based community groups to implement said grant award.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Cultural Affairs (DCA), or designee, to submit a grant application to the NEA in the amount of \$200,000 for the "Our Town" Initiative.
2. AUTHORIZE the General Manager, DCA, or designee, to submit required grant documents as required by the NEA, subject to the City Attorney as to form and content.
3. AUTHORIZE the DCA to match NEA grant funding with a match as follows:
 - a. Up to \$25,000 in full-time salaries, representing a portion of DCA staff time, from Fund 100, Account 1010.
 - b. Up to \$260,000 in funding confirmed from nonprofit and commercial entities.
4. AUTHORIZE the DCA to subsequently accept grant funding if awarded, and execute the grant award on behalf of the City, subject to City Attorney approval as to form and content.
5. AUTHORIZE the DCA to subsequently enter into agreements with nonprofit organization Actors Fund, to manage the training component of a program that will train artists to apply for affordable housing opportunities as well as the Southern California Institute of Architecture and the Los Angeles Downtown Arts District Space, to perform other eligible functions for which the accepted grant funding will be awarded, in a cumulative amount no to exceed the available grant funds (up to \$200,000) subject to City Attorney approval as to form and content.
6. AUTHORIZE the Controller to:
 - a. Establish a new appropriation account within Fund 337, Cultural Affairs Grants, to be labeled "Our Town FY 13/14".
 - b. Appropriate grant funding up to \$200,000, received from the NEA, into the newly established Fund 337, "Our Town FY 13/14".
7. AUTHORIZE the General Manager, DCA, or designee, to prepare Controller instructions needed to implement actions approved by the Council and Mayor on matters present in or deriving from the January 8, 2013 DCA report as attached to the Council file, and/or make necessary technical adjustments, subject to review by the City Administrative Officer (CAO); and AUTHORIZE the Controller to implement these instructions.

Fiscal Impact Statement: The DCA reports that there is no impact to the General Fund 100.

Community Impact Statement: None submitted.

ITEM NO. (18) - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-0408](#)

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to proposed Memorandum of Understanding (MOU) with the Los Angeles County Probation Department in connection with the After-School Enrichment and Supervision Program for Fiscal Year (FY) 2012-13.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Department of Recreation and Parks to accept Juvenile and Crime Prevention Act grant funds in the amount of \$458,430 from the Los Angeles County Probation Department.
2. APPROVE and AUTHORIZE the President and Secretary, Board of Recreation and Parks Commissioners, to execute the proposed MOU with the Los Angeles County Probation Department as detailed above Recommendation No. 1 for the After-School Enrichment and Supervision Program for the term beginning July 1, 2012 through June 30, 2013, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer (CAO) reports that funding in the amount of \$458,430 in Juvenile Justice and Crime Prevention Act funds will be provided by the Los Angeles County Probation Department for the After-School Enrichment and Supervision Program for FY 2012-13. There is no impact to the General Fund. The recommendations contained in the January 16, 2013 CAO report comply with the City Financial Policies in that one-time revenues will be used to support one-time expenditures.

Community Impact Statement: None submitted.

ITEM NO. (19) - ADOPTED - FORTHWITH

Adopted, Ayes (13); Absent: GARCETTI (1)

[13-0037](#)

CD 6 & 8

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to approval of proposed gift agreements with the Los Angeles Parks Foundation for landscape improvements and site furnishings for four new parks: 76th Street Pocket Park, 97th Street Pocket Park, 105th Street Pocket Park, and Kagel Canyon Pocket Park.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Parks Commissioners, to execute the proposed gift agreements with the Los Angeles Parks Foundation for landscape improvements and site furnishings for four new parks: 76th Street Pocket Park, 97th Street Pocket Park, 105th Street Pocket Park, and Kagel Canyon Pocket Park, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the Los Angeles Parks Foundation will use grant funds from the California Endowment totaling \$1,300,000 for landscape improvements and site furnishings for the 76th Street Pocket Park, 97th Street Pocket Park, 105th Street Pocket Park, and Kagel Canyon Pocket Park. Funding for the operation and maintenance of the prospective parks is subject to future appropriation by the Mayor and Council through the annual budget process. To the extent applicable, the recommendation, as detailed above, complies with the City Financial Policies in that one-time funds will be used for one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MARCH 7, 2013

(LAST DAY FOR COUNCIL ACTION - MARCH 6, 2013)

ITEM NO. (20) - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[13-0120](#)
CD 14

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to amending Los Angeles Municipal Code (LAMC) Section 63.44(c) to establish hours at Gladys Park.

Recommendations for Council action, pursuant to Motion (Huizar - Alarcón):

1. REQUEST the City Attorney to prepare and present an Ordinance to amend LAMC Section 63.44(c) to establish Gladys Park hours as follows:

Daylight Saving Time Operating Hours:	Monday-Sunday 9:00AM-7:00PM
Non-Daylight Savings Time Operating Hours:	Monday-Sunday 10:00AM-5:00PM

2. REQUEST the City Attorney to include an Urgency Clause in the Ordinance so that it will become effective upon publication.
3. INSTRUCT the Department of Recreation and Parks to operate and maintain the daily park hours as described above in Recommendation No. 1.
4. INSTRUCT the Security Services Division (formerly General Services Department Police) of the Los Angeles Police Department to lock the gates at the park closing daily.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

ITEM NO. (21) - ADOPTED

Adopted, Ayes (11); Absent: GARCETTI, KREKORIAN, ROSENDAHL (3)

[13-0135](#)

CD 13

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to proposed Amendment No. 2 to Donation Agreement with the Trust for Public Land (Contract No. C-117818) in connection with the addition of Madison Avenue Park as a prospective park.

Recommendation for Council action:

AUTHORIZE the President and Secretary, Board of Recreation and Parks Commissioners, to execute Amendment No. 2 to the agreement with the Trust for Public Land (Contract No. C-117818) in connection to the addition of Madison Avenue Park as a prospective park, subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that the Trust for Public Land will use Proposition 84 grant funds, if secured, for the acquisition and development of two prospective parks. The annual operation and maintenance costs cannot be determined at this time. Funding for maintenance of the prospective parks, should they be completed is subject to future appropriation by Mayor and Council through the regular budget process. To the extent applicable, the recommendation, as detailed above, complies with the City Financial Policies in that one-time funds will be used for one-time expenditures.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 1, 2013

(LAST DAY FOR COUNCIL ACTION - MARCH 27, 2013)

ITEM NO. (22) - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[13-0152](#)

CD 2 & 6

MOTION (KREKORIAN - ALARCON) relative to considering the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing results for the issuance of Multifamily Housing Revenue Bonds in amount not to exceed \$12,600,000 to finance the acquisition and rehabilitation of the Hazeltine and Wyandotte Apartments.

Recommendations for Council action:

1. INSTRUCT the City Clerk, in accordance with the TEFRA requirements, to schedule and place on the agenda for the City Council meeting held on **FEBRUARY 19, 2013** consideration of the TEFRA hearing results of the TEFRA public hearing for the Hazeltine and Wyandotte Apartments located at 14630 Wyandotte Street, Los Angeles, CA 91405 and 7250 Hazeltine Avenue, Los Angeles, CA 91405 held on January 10, 2013 at the Los Angeles Housing Department.
2. ADOPT the accompanying RESOLUTION and minutes of the public hearing held in accordance with Section 142 of the Internal Revenue Code of 1986, as amended, and Section 147(f) of the Code setting the official intent of the City to issue Multifamily Housing revenue Bonds in the amount not to exceed \$12,600,000 to finance the acquisition and rehabilitation of the Hazeltine and Wyandotte Apartments located at 14630 Wyandotte Street, Los Angeles, CA 91405 and 7250 Hazeltine Avenue, Los Angeles, CA 91405. The borrower/sponsor has pledged to comply with applicable City and bond policies.

ITEM NO. (23) - ADOPTED

Adopted, Ayes (13); Absent: GARCETTI (1)

[12-0010-S40](#)

MOTION (PERRY - HUIZAR) relative to reinstating the reward offer in the death of Julie Souza for an additional six months.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

REAFFIRM Council's findings and REINSTATE the reward offer relative to the death of Julie Souza (Council action of September 4, 2012) for an additional period of six months from the publication of the offer of reward by the Office of the City Clerk and, further, that the sum of \$50,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.

Closed Sessions - Items 24-28

ITEM NO. (24) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (12); Absent: BUSCAINO, GARCETTI (2)

[10-1812](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Nick Ross, et al. v. City of Los Angeles, United States District Court Case No. CV10-2806 ODW(Ex). (This matter involves an incident which occurred on January 26, 2010 involving members of the Los Angeles Police Department.)

(Budget and Finance Committee considered the above matter in Closed Session on February 4, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

Recommendations for Council action, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE** the City Attorney to expend a total of \$295,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. **AUTHORIZE** the City Attorney to draw demands thereon as follows:
 - a. **\$250,000** made payable to: Law Offices of Leo James Terrell and Nick Ross, Karim Kurdi and Mark Hassan
 - b. **\$45,000** made payable to Fullerton & Hanna LLP
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl - Koretz "yes") at its meeting on February 4, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

ITEM NO. (25) - MEETING HELD - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

Adopted in Open Session, Ayes (12); Absent: BUSCAINO, GARCETTI (2)

[12-1621](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Hill RHF Housing Partners v. City of Los Angeles, Los Angeles Superior Court Case No. BS 238416. (This case is a challenge to the formation of a business improvement district in the City of Los Angeles.)

(Budget and Finance Committee considered the above matter in Closed Session on February 4, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

Recommendations for Council action, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **APPROVE** settlement of this case on the terms of the settlement, that the City will satisfy Plaintiffs for all payments made by the Plaintiffs with respect to assessments by the Downtown City Business Improvement District (DCBID), and **AUTHORIZE** the City Attorney to execute the necessary settlement and release documents to effectuate the settlement.

2. **AUTHORIZE and INSTRUCT** the City Clerk, subject to approval of the City Attorney, upon receipt of documentary proof that Hill RHF Housing Partners has paid each of the assessments from the DCBID during the five-year life of the DCBID, to cause to be drawn and delivered demands for each such payment required to be made by the settlement in this matter, from funds available in City Attorney Fund 100/12, Liability Claims Account No. 9770, to Hill RHF Housing Partners, without further action by the Council or Mayor.
3. **AUTHORIZE and INSTRUCT** the City Controller to process the payments to the payee as specified by the City Clerk, subject to the approval of the City Attorney, that are authorized and required to be made pursuant to this settlement, from funds available in City Attorney Fund 100/12, Liability Claims Account No. 9770, to Hill RHF Housing Partners, without further action by the Council or Mayor.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl - Koretz "yes") at its meeting on February 4, 2013, in Closed Session as permitted by Government Code Section 54956.(d)(1).

Adopted in Open Session, Ayes (13); Absent: GARCETTI (1)
(Item Nos. 26-28)

ITEM NO. (26) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[12-1895](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Joong Mo Kim v. City of Los Angeles, Los Angeles Superior Court Case No. BC478496. (This matter concerns a traffic accident that occurred on September 8, 2011, in a parking lot located at the corner of Wilshire Boulevard and Gramercy Place.)

(Budget and Finance Committee considered the above matter in Closed Session on February 4, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **AUTHORIZE** the City Attorney to expend a total of \$247,000 in settlement of the above-entitled matter from City Attorney Fund 100/59 Account No. 009770.
2. **AUTHORIZE** the City Attorney to draw a demand thereon in the amount of \$247,000 and made payable to Law Offices of Brian W. Toppila and Joong Mo Kim.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl - Koretz "yes") at its meeting on February 4, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

ITEM NO. (27) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[13-0099](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled 3118 LLC v. City of Los Angeles, Los Angeles Superior Court Case No. BC460805. (This case arises from an inverse condemnation action involving flood damage to a commercial property adjacent to a City property.)

(Budget and Finance Committee considered the above matter in Closed Session on February 4, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. **APPROVE** the settlement of Plaintiff's claims by payment of \$423,000.
2. **AUTHORIZE** the City Attorney to execute a settlement agreement and all other documents necessary to implement the settlement.
3. **AUTHORIZE** the City Attorney, without further instruction, to draw the necessary demand from the Liability Claims Fund 100/59, Account 009770, in the amount of \$423,000 payable to 3118 LLC.
4. **INSTRUCT** the Bureau of Engineering (BOE) to install a drainage device designed by the Stormwater division of the BOE by January of 2014 to prevent future ponding at the City property.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl - Koretz "yes") at its meeting on February 4, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

ITEM NO. (28) - MOTION ADOPTED IN OPEN SESSION - SEE FOLLOWING

[13-0106](#)

The City Council shall recess to Closed Session, pursuant to Government Code Section 54956.9(d)(1), to confer with its legal counsel relative to the case entitled Sharon Coleman v. City of Los Angeles, Los Angeles Superior Court Case No. BC469719. (This case arises from a trip and fall incident that occurred on February 9, 2011, at 2917 Florence Avenue.)

(Budget and Finance Committee considered the above matter in Closed Session on February 4, 2013)

ADOPTED

MOTION (KREKORIAN - ENGLANDER)

Recommendations for Council action, **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. **AUTHORIZE** the City Attorney to expend a total of \$150,000 in settlement of the above-entitled matter from City Attorney Fund 100/59, Account No. 009770.
2. **AUTHORIZE** the City Attorney to a draw demand thereon in the amount of \$150,000 and made payable to The Law Offices of Barry Novack and plaintiff, Sharon Coleman.
3. **AUTHORIZE** the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and **AUTHORIZE** the Controller to implement the instructions.

This matter was approved by the Budget and Finance Committee (Krekorian - Englander - Rosendahl "yes") at its meeting on February 4, 2013, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

[13-0211](#)

MOTION (HUIZAR - REYES) relative to funding from the Central Los Angeles Recycling and Transfer Station (CLARTS) Community Amenities Trust Fund for community amenities within Council District 14.

[13-0212](#)

MOTION (BUSCAINO - REYES) relative to asserting jurisdiction from the Harbor Area Planning Commission decision regarding the operation of a truck and container storage facility at 920 Eubank Avenue in Wilmington.

RESOLUTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

[13-0210](#)

RESOLUTION (WESSON - ZINE) relative to declaring April 16-20, 2013 as Mediation Awareness Week in the City of Los Angeles.

[13-0213](#)

RESOLUTION (WESSON - ZINE) relative to declaring February 28, 2013 as Earl "Skip" Cooper, II Day in the City of Los Angeles.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

[13-0004](#) - Richard K. Eamer

(Wesson - Zine)

Filmmaker Bonnie Boswell

(Buscaino - Wesson)

**At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:**

[13-0003](#) - Thomas Lorenzo Stevens Jr.

(Perry - All Councilmembers)

Manuel Rojas

(Huizar - All Councilmembers)

Alarcón, Englander, Huizar, Koretz, Krekorian, LaBonge, Parks, Perry, Reyes, Rosendahl, Zine and President Wesson (12); Absent: Buscaino and Garcetti (2); Vacant: Council District Six

Whereupon the Council did adjourn.

ATTEST: June Lagmay, CITY CLERK

By

Council Clerk

PRESIDENT OF THE CITY COUNCIL